



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

COPY OF PAPERS
ORIGINALLY FILED

Applicants: Wendi V. Rodriguez, Kevin Jon Williams, and Michael J. Hope

Serial No.: 09/924,222

Group Art Unit: 1615

Filed: August 7, 2001

Examiner: Not yet assigned

For: LIPOSOMAL COMPOSITIONS, AND METHODS OF USING LIPOSOMAL
COMPOSITIONS TO TREAT DISLIPIDEMIAS

BOX MISSING PARTS

Commissioner of Patents and Trademarks
Washington, D.C. 20231

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RESPONSE TO NOTICE TO FILE MISSING PARTS
OF NONPROVISIONAL APPLICATION AND
PETITION FOR EXTENSION OF TIME UNDER 37 C.F.R. § 1.136(a)

Sir:

Responsive to the Notice to File Missing Parts of Nonprovisional Application, mailed
September 17, 2001, applicants enclose the following for filing in the above-identified
application:

1. Petition for Extension of Time Under 37 C.F.R. § 1.136(a) for four months with
Certificate of Mailing Under 37 C.F.R. § 1.8(a) (in duplicate);
2. Abstract of the Disclosure pursuant to 37 C.F.R. § 1.72(b);
3. Declaration for Patent Application executed by Wendi V. Rodriguez and Michael J.
Hope.
4. Petition for Application on Behalf of a Non-signing Inventor under 37 C.F.R. 1.47(a);

5. Power of Attorney or Authorization of Agent executed by The University of British Columbia;
6. Statement Under 37 C.F.R. § 3.73(b) executed by The University of British Columbia, with attached copy of the executed Assignment from Wendi V. Rodriguez and Michael J. Hope to The University of British Columbia;
7. Power of Attorney or Authorization of Agent executed by Esperion LUV Development, Inc.;
8. Statement Under 37 C.F.R. § 3.73(b) executed by Esperion LUV Development, Inc., with attached copy of the executed Assignment from Kevin Jon Williams to Esperion LUV Development, Inc.;
9. Fee Transmittal (in duplicate); and
10. Check in the amount of \$785.00 for the (a) \$65.00 small entity surcharge for late filing the Declaration for Patent Application, and (b) 720.00 small entity fee for a four-month extension of time.

This application is entitled to claim small entity status pursuant to 37 C.F.R. § 1.27.

Applicants also enclose a copy of the Notice to File Missing Parts of Nonprovisional Application, mailed September 17, 2001.

U.S.S.N: 09/924,222
Filed: August 7, 2001
Response to Notice to File Missing Parts of
Nonprovisional Application and Petition for
Extension of Time Under 37 C.F.R. § 1.136(a)

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The Commissioner is hereby authorized to charge any additional fees that may be due,
or credit any overpayment in connection with this matter, to Deposit Account No. 50-1868.

A duplicate of this transmittal is enclosed to facilitate this process.

Respectfully submitted,



Patrea L. Pabst
Reg. No. 31,284

Date: March 18, 2002

HOLLAND & KNIGHT LLP
Suite 2000, One Atlantic Center
1201 West Peachtree Street, N.E.
Atlanta, Georgia 30309-3400
(404) 817-8473 (Telephone)
(404) 817-8588 (Fax)

U.S.S.N: 09/924,222
Filed: August 7, 2001
Response to Notice to File Missing Parts of
Nonprovisional Application and Petition for
Extension of Time Under 37 C.F.R. § 1.136(a)



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CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)

I hereby certify that this RESPONSE TO NOTICE TO FILE MISSING PARTS OF
NONPROVISIONAL APPLICATION AND PETITION FOR EXTENSION OF TIME UNDER
37 C.F.R. § 1.136(a), and any paper referred to as being attached or enclosed, are being
deposited with the United States Postal Service on the date shown below with sufficient postage
as first-class mail in an envelope addressed to BOX MISSING PARTS, Commissioner of Patents
and Trademarks, Washington, D.C. 20231.

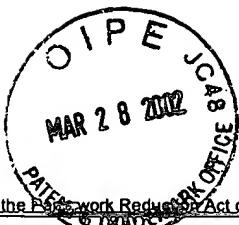
A handwritten signature in cursive script, reading "Pam Turnbough".

Pam Turnbough

Date: March 18, 2002

ATL1 #514369 v1

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210/SB/17 (08-00)
Approved for use through 10/31/2002. OMB 0651-0032
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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 785.00)

Compleat if Known

Application Number	09/924,222
Filing Date	August 7, 2001
First Named Inventor	Wendi V. Rodriguez
Examiner Name	
Group Art Unit	1615
Attorney Docket No.	ESPN 2004

METHOD OF PAYMENT (check one)

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number: 50-1868
Deposit Account Name: Holland & Knight LLP

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☒ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES

Total Claims: 20 = Extra Claims: 3 = Fee from below: 3 = Fee Paid: 3

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim, if not paid
109	80	209	40	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	\$ 65.00
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	\$ 720.00
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	240	126	240	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	
179		279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify)

* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 785.00)

SUBMITTED BY

Name (Print/Type)	Patrea L. Paost	Registration No. (Attorney/Agent)	31,284	Telephone	404-817-8473
Signature		Date	3/18/2002		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



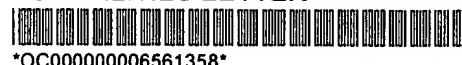
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COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/924,222	06/07/2001	Wendi V. Rodriguez	ESPN

CONFIRMATION NO. 3425

FORMALITIES LETTER



OC000000006561358

23579
PATREA L. PABST
HOLLAND & KNIGHT LLP
SUITE 2000, ONE ATLANTIC CENTER
1201 WEST PEACHTREE STREET, N.E.
ATLANTA, GA 30309-3400

COPY OF PAPERS
ORIGINALLY FILED

Date Mailed: 09/17/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

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An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- o The oath or declaration is unsigned.
- o To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- o **The balance due by applicant is \$ 65.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- o An Abstract not to exceed 150 words in length, commencing on a separate sheet (37 CFR 1.72(b)).

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

03/29/2002 HHARZ11 00000038 09924222 65.00 OP
01 FC:205